

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, MAY 4, 2015**

I. CALL TO ORDER

Supervisor Fletcher called the meeting to order at 6:00 PM.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Supervisor Ken Fletcher, Treasurer Howard Pizzo, Clerk Mary R. Clark, Trustee Dennis Fedewa, Trustee Jeff Hicks, Trustee Karen Mojica, and Trustee Douglas Kosinski

Members Absent:

Others Present: Acting Manager Jeff Anderson, Lt. Wriggelsworth, Engineer Gary Arnold, Community Development Director Mark Graham, Assistant Community Development Director Gary Bozek, Parks & Recreation Department Director Marcus Kirkpatrick.

IV. PRESENTATIONS AND PROCLAMATIONS –

1. Fire Department Badge Pinning and Oath of Office

New Hire – Kevin Zimmerman

Supervisor Fletcher stated that the badge pinning and oath of office will be postponed until May 18, 2015.

V. SET/ADJUST AGENDA

TRUSTEE KOSINSKI MOVED TO APPROVE THE AGENDA AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

VI. PUBLIC HEARINGS – NONE

VII. COMMUNICATIONS

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA *(maximum two minutes)*

IX. INTRODUCTION OF ORDINANCES

X. PASSAGE OF ORDINANCES

XI. CONSENT AGENDA –

TREASURER PIZZO MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO, TRUSTEE FEDEWA, TRUSTEE KOSINSKI, TRUSTEE MOJICA, AND TRUSTEE HICKS.

NAYS: NONE

ABSENT: NONE

THE MOTION PASSED 7-0.

2.	Bills and Financial Transactions	\$	919,132.48
	Bond/Debt Payments		
	Investments		
	Payroll & Related		315,299.23
	Refunds		1,190.96
	Tax Distributions		
	Vendor Claims		602,642.29
	Total	\$	919,132.48

TREASURER PIZZO MOVED TO APPROVE THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$919,132.48.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

3. Minutes –

April 20, 2015 Regular Township Board Meeting

TREASURER PIZZO MOVED TO APPROVE THE APRIL 20, 2015 REGULAR TOWNSHIP BOARD MEETING MINUTES.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

4. Fireworks Display Permit for Delta Township

TREASURER PIZZO MOVED THAT THE PERMIT REQUEST FOR A FIREWORKS DISPLAY ON JULY 3, 2015, WITH AN AGREED UPON RAIN DATE (IF NEEDED), BY PARKS, RECREATION AND CEMETERIES COMMISSION BE GRANTED, SUBJECTED TO ACCEPTABLE WEATHER CONDITIONS AND AN ON-SITE INSPECTION ON THE DAY OF THE DISPLAY BY THE FIRE CHIEF OR HIS DESIGNEE. FURTHER, THAT THE TOWNSHIP MANAGER BE AUTHORIZED TO SIGN THE ATTACHED AGREEMENT WITH NIGHT MAGIC DISPLAYS.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – NONE.

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA

XIV. ITEMS OF BUSINESS

5. Recommendation to Approve the Municipal Utility Agreement

TRUSTEE MOJICA MOVED THAT THE TOWNSHIP BOARD APPROVE THE MUNICIPAL UTILITY AGREEMENT SUBMITTED BY TARBERT PROPERTIES, LLC FOR THE EXTENSION OF A PUBLIC WATER MAIN ON THE PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOUTH CANAL ROAD AND MILLETT HIGHWAY, IN SECTION 28 OF DELTA TOWNSHIP, AT 3230 SOUTH CANAL ROAD, IN ASSOCIATION WITH THE CONSTRUCTION OF THE MICHIGAN CATERPILLAR FACILITY ON THE PREMISES. I FURTHER MOVE THAT THE TOWNSHIP SUPERVISOR AND CLERK BE AUTHORIZED AND DIRECTED TO SIGN THE AGREEMENT ON BEHALF OF THE TOWNSHIP.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

6. Recommendation to Accept the Bid from Kennedy Industries for the Belaire Hills Lift Station Pump Package

TRUSTEE KOSINSKI MOVED THAT DELTA CHARTER TOWNSHIP ACCEPT THE PROPOSAL FROM KENNEDY INDUSTRIES FOR FURNISHING AND DELIVERING THE SUBMERSIBLE PUMP PACKAGE FOR THE BELAIRE HILLS LIFT STATION, AS OUTLINED IN THEIR PROPOSAL DATED APRIL 24, 2015, IN THE AMOUNT OF \$29,025.00.

I FURTHER MOVE THAT THE INTERIM TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO SIGN THE NECESSARY DOCUMENTS RELATED TO THE PURCHASE OF THE SUBMERSIBLE PUMP PACKAGE.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

7. Final Consideration – Mulder Company Rezoning Request in Case No. 2-15-3

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 2-15-3 FROM RB, LOW DENSITY RESIDENTIAL, TO RD, MEDIUM DENSITY RESIDENTIAL, BECAUSE THE CRITERIA ESTABLISHED BY SECTION 25.4.0 OF THE DELTA TOWNSHIP ZONING ORDINANCE FOR AMENDMENT OF THE OFFICIAL ZONING MAP CAN BE AFFIRMATIVELY SATISFIED WITH RESPECT TO THE REQUESTED ZONING CLASSIFICATION, FOR THE FOLLOWING REASONS:

1. THE REQUESTED RD, MEDIUM DENSITY RESIDENTIAL, ZONING CLASSIFICATION IS CONSISTENT WITH THE RECOMMENDATION OF THE OFFICIAL LAND USE MAP WITHIN THE DELTA TOWNSHIP COMPREHENSIVE PLAN, WHICH RECOMMENDS MULTIPLE FAMILY RESIDENTIAL LAND USE DEVELOPMENT FOR THE SUBJECT PARCEL.
2. THE PROPOSED ZONING CHANGE WOULD ALLOW DEVELOPMENT THAT WOULD BE CONSISTENT WITH THE ESTABLISHED MIXED RESIDENTIAL DEVELOPMENT PATTERN IN THE IMMEDIATE VICINITY.
3. THE SUBJECT PARCELS CAN BE ADEQUATELY SERVED BY PUBLIC WATER, SANITARY SEWER, AND STORM DRAIN SERVICES.
4. THE PROPOSED ZONING CHANGE IS CONSISTENT WITH THE PURPOSES OF THE RD ZONING CLASSIFICATION AS STATED IN CHAPTER 11 OF THE ZONING ORDINANCE.

TRUSTEE HICKS SUPPORTED THE MOTION.

Betty Chapman, 508 White Pine – Ms. Chapman asked the Board if there was more information to be presented regarding this request.

Mr. Bozek stated that there is no further information in regards to what the developer has proposed. This request is a proposal to expand the development of Tammany on the Ponds Apartments. The developer is not required to submit plans during this phase in the development.

THE MOTION PASSED 7-0.

8. Request to Approve the Land Acquisition Project Agreement for Mount Hope Property Acquisition (TF-14-0198)

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD ACCEPT THE LAND ACQUISITION GRANT FROM THE MICHIGAN NATURAL RESOURCES TRUST FUND (PROJECT # TF14-0198, PROJECT TITLE – MT. HOPE PROPERTY ACQUISITION) IN THE AMOUNT \$281,000 AND AUTHORIZE MATCHING FUNDS IN THE AMOUNT OF \$94,000.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

Mr. Kirkpatrick stated that the 60 acres of Mt. Hope Park that is owned by the Township will be developed, as well as the additional 60 acres approved to purchase, subject to that purchase. Mr. Kirkpatrick reviewed for the Board some of the plans for developing Mt. Hope Park.

XV. MANAGER'S REPORT – Jeff Anderson, Acting Township Manager

Mr. Anderson stated that staff is close to finalizing the 2015 sidewalk construction plan, they are currently working on acquiring the final easement.

The State of Michigan has passed new Freedom of Information Act laws, the Board will be required to adopt a new document titled, "FOIA Procedures and Guidelines". More information will be brought to the Board in June 2015, and will go into effect on July 1, 2015.

An announcement was made on April 30, 2015 that General Motors will invest \$520 million in the Delta Township plant within the next 18 months. According to the plant manager, most of the funds will go towards tooling. Staff is reviewing plans for new buildings and additions to the plant.

A letter was received from Alan Martin, one of the owners of 4510 W. Saginaw Hwy (Burger King). Mr. Martin indicated that they plan to demolish the building within the next 3-4 months.

XVI. COMMITTEE OF THE WHOLE

9. Status Report: Drafting of the Township's New Zoning Ordinance, Mark Graham

Mr. Graham gave an overview of the changes to the Township's Zoning Ordinance to the Board.

Clerk Clark asked Mr. Graham about accessory dwellings.

Mr. Graham stated that they could be allowed with a Special Land Use Permit.

10. Home Based Business Request of Jennifer Feller, Mark Graham

Mr. Graham stated that Ms. Feller has been in contact with him for over a year regarding her request to start a home based baking business.

Trustee Hicks asked Mr. Graham about the fee for a request for an interpretation from the Zoning Administrator.

Mr. Graham stated that the fee would be \$250.00 to send to the Zoning Board of Appeals.

Trustee Fedewa asked about Cottage Food Law, and how it pertains to this request.

Trustee Hicks stated that the Cottage Food Law covers types of foods that are typically not time or temperature sensitive, and would not put the public at risk. There is a monetary threshold of this type of food preparation and sales of \$15,000 per year.

Ms. Feller stated that she appreciates the efforts of Mark Graham and the Township Board regarding her request.

Clark Clark asked Ms. Feller where she plans to sell her baked goods.

Ms. Feller stated that she plans to start out at Farmer's Markets, and possibly look for other venues if successful.

XVII. PUBLIC COMMENTS –

Mr. Graham asked the Board about HB4209, marijuana dispensaries. He stated that he has spoken to Lt. Wriggelsworth regarding this issue, he believes that it has a greater chance of being passed this time around. This bill would permit marijuana provision centers (dispensaries). He stated that the Board may want to consider a prohibition on dispensaries if HB4209 passes. Section 5 allows local municipalities to enact provisions stronger than what is included in HB4209. Safety compliance facilities are labs that test for contaminants, and if this bill passes, all dispensaries would have to sell medical marijuana that has been through a safety facility that checks for pesticides, mold, mildew, etc.

Mr. Graham indicated that there continue to be issues with donation bins in the Township. He stated that he would like to put in place some controls on these bins, including an annual license, a maximum size allowed, a weekly inspection must be

performed to ensure that they are being managed, and a limit of one per property.

Trustee Hicks asked if there is a minimum size for detached accessories that are regulated.

Mr. Graham stated that anything over 200 square feet is regulated by the Township.

Clerk Clark stated that she spoke with Mr. Anderson regarding vendors. There will be a front page post on the Township's website regarding approved door to door vendors, and the phone number for residents to call for unlicensed vendors. Clerk Clark will also give new approved vendor information to Mr. Anderson for the weekly Manager's report. Currently, there are no approved vendors for operating within Delta Township.

XVIII. ADJOURNMENT –

Supervisor Fletcher adjourned the meeting at 7:04 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK